

**REMARKS**

Reconsideration of the above referenced application in view of the following remarks is requested. Claims 1-5, 13-14, 16-20, 22, and 26-28 have been amended. Claims 6-12, 15, 24-25, and 29-31 have been cancelled. Claims 32-36 have been newly added. Existing claims 1-5, 13-14, 16-23, 26-28 and newly added claims 32-36 remain in the application.

**ARGUMENT*****Claim Rejections – 35 USC § 103***

Claims 1-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Griggs (2002/0029384) (hereinafter Griggs) in view of Ellis et al (6,774,926) (hereinafter Ellis).

The prosecuting attorney for this application has been changed. The inventor of the application (now a patent attorney) is now the working attorney. Almost all the claims have been significantly amended. As a result, only 3 independent claims remain in the application.

Regarding independent claims 1, 18, and 28, they have been substantially amended. Each of these independent claims now recites a limitation of "determining whether to include the selected program in the custom channel." A quick review of both Griggs and Ellis reveals that neither of these two references teaches or suggests, alone or in combination, at least this newly added limitation. Because the combination of Griggs and Ellis does not teach or suggest all of the limitations recited in amended independent claims 1, 18, and 28, these claims (as amended) are now patentable over Griggs in view of Ellis.

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Because independent claims 1, 18, and 28 are now patentable over Griggs in view of Ellis, all of the claims that depend therefrom are also patentable over Griggs in view of Ellis. Applicant thus respectfully requests that the 35 U.S.C. § 103 rejections over three independent claims as well as their dependent claims be withdrawn.

### CONCLUSION

Based on the foregoing, it is submitted that that all active claims are presently in condition for allowance, and their passage to issuance is respectfully solicited. If the Examiner has any questions, the Examiner is invited to contact the undersigned at (503) 264-1700. Entry of this amendment is respectfully requested.

Respectfully submitted,

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